

18W/1644

Customer No. 22,852
Attorney Docket No. 10142.0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------|---|---------------------------|
| In re Application of: |) | |
| |) | |
| Evvy LUNDGREN-AKERLUND |) | Group Art Unit: 1644 |
| |) | |
| Application No.: 10/553,226 |) | Examiner: Maher M. Haddad |
| |) | |
| Filed: February 6, 2006 |) | Confirmation No.: 8983 |
| |) | |
| For: MONOCLONAL ANTIBODY |) | |
| CAPABLE OF BINDING |) | |
| INTEGRIN ALPHA 10 BETA 1 |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents on the attached listing. To the undersigned's knowledge, this Information Disclosure Statement is being filed prior to the first Office Action on the merits of the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The United States Court of Appeals for the Federal Circuit held in *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003) that an "adverse decision" by another examiner may meet the materiality standard under the amended Rule 56, and thus, Applicants should disclose prior rejections of "substantially similar claim[s]" to the Office. Accordingly, although an Office Action on the merits has

not yet been issued for co-pending Application No. 11/347,179, Applicant wishes to bring this application to the Examiner's attention. U.S. Application No. 11/347,179 is a continuation of U.S. Application No. 09/647,544, which issued as U.S. Patent No. 7,029,858 on April 18, 2006. Applicant is not representing that any Office Action that will be issued in this co-pending application is material to the present application and is not admitting that any of the other claims are substantially similar.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

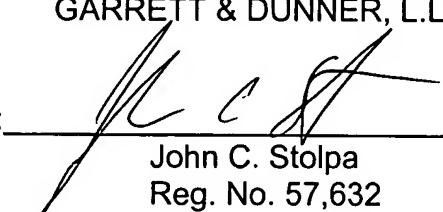
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 10, 2006

By: _____


John C. Stolpa
Reg. No. 57,632

Enclosures

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

| | |
|------------------------|-----------------------|
| Application Number | 10/553,226 |
| Filing Date | February 6, 2006 |
| First Named Inventor | Evy LUNDGREN-AKERLUND |
| Art Unit | 1644 |
| Examiner Name | Maher M. Haddad |
| Attorney Docket Number | 10142.0005 |

Sheet 1 of 2

| U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS | | | | | |
|---|-----------------------|--|---|---|---|
| Examiner Initials | Cite No. ¹ | Document Number | Issue or Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | | US 5,686,059 | 11-11-1997 | Goetinck et al. | |
| | | US 5,843,436 | 12-1-1998 | Loike et al. | |
| | | US 5,853,987 | 12-29-1998 | Guo et al. | |
| | | US 7,029,858 | 04-18-2006 | Lundgren-Akerlund | |
| | | US 2006/0178503 | 08-10-2006 | Lundgren-Akerlund | |

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|--------------------------------|---|---|--------------------------|
| Examiner Initials | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | EP 0330506 | 08-30-1989 | Hemler et al. | | |
| | | JP-2001-354699 | 12-25-2001 | Yuichi et al. | | Abstract |
| | | WO 92/19647 | 11-12-1992 | Tamura et al. | | |
| | | WO 94/25487 | 11-10-1994 | Ingber et al. | | |
| | | WO 97/31653 | 09-04-1997 | Mercurio et al. | | |
| | | WO 99/51639 | 10-14-1999 | Lundgren-Akerlund | | |
| | | WO 02/072030 | 11-19-2002 | Arnaout et al. | | |
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| | | WO 03/106492 | 12-24-2003 | Lundgren-Akerlund | | |
| | | | | | | |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|--------------------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation ⁶ |
| | | LEHNERT et al., "The integrin alpha10 subunit: expression pattern, partial gene structure, and chromosomal localization," Cytogenet. Cell Genet., Vol. 87, pages 238-244, 1999. | |
| | | CAMPER et al., "Isolation, cloning, and sequence analysis of the integrin subunit alpha10, a beta1-associated collagen binding integrin expressed on chondrocytes," J. Biol. Chem., Vol. 273, pages 20383-20389, August 7, 1998. | |
| | | HILLIER et al., Genebank Accession No. N72734, 1996. | |
| | | TAKADA et al., "Molecular cloning and expression of the cDNA for alpha 3 subunit of human alpha 3 beta 1 (VLA-3), an integrin receptor for fibronectin, laminin, and collagen," J. Cell Biol., Vol. 115, pages 257-266, October 1991. | |
| | | TAKADA et al., "The primary structure of the alpha 4 subunit of VLA-4: homology to other integrins and a possible cell-cell adhesion function," EMBO J., Vol. 8, pages 1361-1368, May, 1989. | |
| | | CAMPER et al., "Integrin alpha2beta1 is a receptor for the cartilage matrix protein chondroadherin," J. Cell Biol., Vol. 138, pages 1159-1167, September 8, 1997. | |
| | | HOLMVALL et al., "Chondrocyte and chondrosarcoma cell integrins with affinity for collagen type II and their response to mechanical stress," Exp. Cell Res., Vol. 221, pages 496-503, 1995. | |
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| IDS Form PTO/SB/08: Substitute for form 1449A/PTO | | | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Application Number | 10/553,226 |
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| | | | | First Named Inventor | Evy LUNDGREN-AKERLUND |
| | | | | Art Unit | 1644 |
| | | | | Examiner Name | Maher M. Haddad |
| Sheet | 2 | of | 2 | Attorney Docket Number | 10142.0005 |

| NON PATENT LITERATURE DOCUMENTS | | | |
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| | | International Search Report for Application No. PCT/SE99/00544, July 30, 1999. | |
| | | International Preliminary Examination Report for Application No. PCT/SE99/00544, June 15, 2000. | |
| | | International Search Report for Application No. PCT/SE2004/000580, July 14, 2004. | |
| | | Written Opinion of the International Searching Authority for Application No. PCT/SE2004/000580, July 14, 2004. | |
| | | International Preliminary Report on Patentability for Application No. PCT/SE2004/000580, July 15, 2005. | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.